

Message Text

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PAGE 01 NAIROB 06530 251426Z

ACTION AF-10

INFO OCT-01 ISO-00 EUR-12 EB-07 TRSE-00 OMB-01 L-03

COME-00 CIAE-00 DODE-00 INR-07 NSAE-00 PA-01

USIA-06 PRS-01 SP-02 /051 W

-----251953Z 039001 /73

R 251332Z MAY 77

FM AMEMBASSY NAIROBI

TO SECSTATE WASHDC 8494

LIMITED OFFICIAL USE NAIROBI 6530

PASS TREASURY

E.O. 11652: N/A

TAGS: EFIN, KE

SUBJECT: GOK INITIALS TAX TREATY WITH WEST GERMANY

REF: STATE 16641

1. FRG INITIALLED TREATY FOR AVOIDANCE OF DOUBLE TAXATION WITH GOK MAY 17, BRINGING NUMBER OF SUCH AGREEMENTS SIGNED DURING LAST EIGHT MONTHS TO THREE (INCLUDING U.K. AND ITALY). ALL THREE ARE AWAITING RATIFICATION.

2. EMBOFF DISCUSSED CONTENTS OF FRG-GOK AGREEMENT WITH GERMAN DIPLOMATIC OFFICER WHO HAD ONLY GERMAN TEXT AVAILABLE. GENERAL REVIEW OF DOCUMENT GAVE EMBOFF IMPRESSION THAT TREATY FOLLOWS VERY CLOSELY ON MODEL TREATY GOK PROVIDED US TREASURY TEAM VISITING NAIROBI IN JANUARY 1977. MANAGEMENT FEES WERE TREATED IN ARTICLE TOGETHER WITH ROYALTIES AND WERE TAXABLE AT MAXIMUM 15PCT RATE. NOTABLE DIFFERENCE FROM 1973 US-KENYAN DRAFT (AND KENYAN 1976 MODEL) WAS PROVISION TO TAX PROFITS DERIVED FROM OPERATION OF INTERNATIONAL SHIPPING IN STATE WHERE EFFECTIVE MANAGEMENT OF ENTERPRISE IS LOCATED.

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3. FRG OFFICIAL BELIEVED AGREEMENT WOULD BE SUBSTANTIAL BENEFIT TO GERMAN BUSINESS COMMUNITY IN TERMS OF CORPORATION TAXATION BUT THOUGHT HIS NATIONALS WOULD FACE INCREASED TAXATION ON PRIVATE INCOME, SINCE THEY EFFECTIVELY LOSE SEVERAL DEDUCTIONS POSSIBLE UNDER GERMAN BUT NOT KENYAN TAX LAW.

BECON 5/25/78

LINDSTROM

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TREATY SIGNATURE, TAX AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 25-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977NAIROB06530
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770187-0334
Format: TEL
From: NAIROBI
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770519/aaaaaqpe.tel
Line Count: 63
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1a59498a-c288-dd11-92da-001cc4696bcc
Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
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Previous Handling Restrictions: n/a
Reference: 77 STATE 16641
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 2374775
Secure: OPEN
Status: NATIVE
Subject: GOK INITIALS TAX TREATY WITH WEST GERMANY
TAGS: EFIN, KE, GE
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/1a59498a-c288-dd11-92da-001cc4696bcc
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